

REMARKS

Claims 1 – 4 are pending. By this Amendment, claim 1 is amended.

A Preliminary Amendment was submitted concurrently with the filing of the present application on December 6, 2001, and a copy is included with this Amendment. This Preliminary Amendment included a substitute specification and substitute claims, wherein the substitute claims incorporated revisions made during international preliminary examination under Article 34 and were further amended to eliminate multiple dependencies and element reference notations. Because the rejections to the claims appear to address the original claims and not the substitute claims of the Preliminary Amendment, the Applicant respectfully requests entry of the previously filed Preliminary Amendment.

Claim 1 has been amended to clarify the literal translation from French to idiomatic English and now claims “the end face of the ends of the fibres terminating short of a line of the hottest points of the electric arc and at a distance from this line,” in cooperation with the other claimed elements. No narrowing amendment is intended.

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,563,969 to Honmou. Claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Honmou as applied to claim 1. These rejections are respectfully traversed. Claim 2 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Honmou discloses that, with reference to FIG. 3, “the end surface 3b of the protruding core of the optical fiber 3 disposed approximately midway between the pair of electrodes 1 and heated by the discharge occurring between the electrodes 1.” Column 3, lines 43 – 46. As identified in the Office Action, “Honmou does show in Figure 3, where the ends of the fibers appear to be at the hottest axis points” Page 3, line 22 – page 4, line 1. Thus,



Application No. 10/009,199

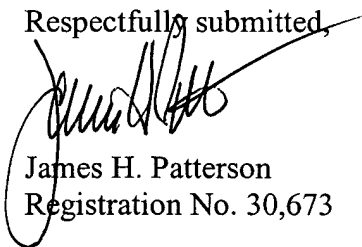
Honmou does not teach or suggest the method of now amended claim 1, which claims "the end face of the ends of the fibers terminating short of a line of the hottest points of the electric arc and at a distance from this line," in cooperation with the other claimed steps. Placing the optical fibers a distance away from the line of the hottest points maintains an improved hemispherical shape and also maintains the diameter of the fibers, as identified in the Office Action with respect to the allowable subject matter of claim 2.

Therefore, now amended claim 1 is believed to be in condition for allowance. Claims 2 – 4 depend from claim 1 and are therefore allowable at least for these reasons. The rejections to dependent claims 3 and 4 are respectfully traversed but are not expressly argued in view of the allowability of the underlying independent claim.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



James H. Patterson
Registration No. 30,673

Customer No. 24113
Patterson, Thuente, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: (612) 349-5741